

# Video Series to Guide Pro Pers in Family Court

Litigants without lawyers trying to navigate California's family courts may find assistance through a video series and accompanying brochures produced by the Administrative Office of the Courts Statewide Office of Family Court Services (SOFCS).

The videos, in English and Spanish, and the brochures, currently in English only, are designed to aid unrepresented (pro per) litigants in California's family courts in the following key areas:

- ◆ The first video/brochure set is designed to help those filing for divorce, legal separation, or annulment.

- ◆ The second informs victims about how to file for a restrain-

ing order under the Domestic Violence Protection Act.

- ◆ The third helps restraining order respondents understand their rights and responsibilities. This information is the first statewide resource of its kind.

Together these informational materials will assist pro pers in managing their own cases while making decisions that are in their best interests. A Spanish version of the brochure will be available in the near future. These videos and accompanying brochures will complement the Title IV-D child support information and forms-preparation services provided by family law facilitators. The combination of these resources offers pro pers

more comprehensive assistance than that currently offered by self-help centers or available by just downloading forms from the Internet.

## MEETING NEED

These resources will be especially useful in California where, according to SOFCS estimates, between 60 to 80 percent of family law litigants represent themselves, and an estimated 62 percent of family court filings in which the parties dispute custody or visitation issues also include allegations of domestic violence.

The series was developed to help family law litigants navigate family court procedures and to

assist local courts in developing information packets for litigants describing how to obtain a domestic violence restraining order using the appropriate forms in their particular jurisdiction.

The videos and brochures will soon be available in all family courts, at county public libraries, family law facilitators' offices, Victim Witness Assistance programs, local family court services offices, and selected domestic violence and legal aid clinics statewide. Future distribution plans include Tower and Blockbuster video stores. The information will also be available on the California Courts Web site, [www.courtinfo.ca.gov/courtadmin/aoc/fcs/](http://www.courtinfo.ca.gov/courtadmin/aoc/fcs/).

- Contact: To obtain additional copies of the videotapes or brochures, Patrick Ballard, 415-865-7575; for more information, Mimi Lyster, 415-865-7554, or Susan Hanks, 415-865-7639. All are in the Statewide Office of Family Court Services. ■

## San Diego Court Reaches Out to Reservations

The office of the Indian Health Council in Pauma Valley was the unlikely setting for a special court session on September 18 when defendants from nine Indian reservations in San Diego's North County area came to clear their outstanding traffic and misdemeanor cases.

North County Supervising Judge John S. Einhorn and Judge David W. Ryan conducted the hearings at the council, which is not on reservation land but was selected by residents as centrally located to the nine affected Indian tribes.

Both prosecution and defense attorneys were on hand to counsel the defendants; 46 of the 49 defendants who preregistered appeared. Their more than 100 outstanding cases—some going back to the 1980s—ranged from traffic to domestic violence violations. For the first time, court referral officers also were on hand in an outreach effort to do assessment on substance abuse violations. Where appropriate, prosecutors and defense attorneys negotiated constructive alternative sentences such as community service on the reservation and counseling programs. Work performed on the reservations will be certified by tribal elders.

"The court takes very seriously the new state mandate to reach out to underserved populations," said Assistant Presiding Judge Richard E. L. Strauss. "To my knowledge, we are the only court in the state to ever accommodate residents of Indian reservations in surroundings that are familiar to them."

Supervising Judge Einhorn credited the chairs of the nine tribes and personnel at the Indian Health Council with developing a workable arrangement for the specialty court. He also pointed out that trial court unification allowed the outreach court to offer a service never before possible. "Thanks to unification, we were able to search court records for outstanding violations at all locations for the participating individuals. One quarter of the cases came from locations other than the Vista court. We hope the comprehensive nature of our effort to clear an individual's record will enhance the benefits of a fresh start and contribute to confidence in the law."

- Contact: Marilyn G. Lawrence, Public Affairs Officer, Superior Court of San Diego County, 619-531-4484.

## Watch on Washington

*Continued from page 12*

the act allows state courts to retain jurisdiction over class action lawsuits seeking less than \$10 million in damages or involving fewer than 100 plaintiffs. State courts also have jurisdiction over class action suits in which a substantial majority of the plaintiffs and the primary defendants are residents of a single state. Lastly, the law states that, except for the explicit provisions in section 15 of the act, nothing in that section supersedes any rule of federal or state civil procedure applicable to class actions.

Developing a legislative solution to the potential Y2K problems has not been easy. Critics of the legislation argued that the restrictions in the bill would make it difficult for consumers to recover economic losses and could set a significant precedent for legislation to thwart consumers generally in product liability cases. Proponents of the bill argued that the limits are needed to protect computer companies and other high-tech businesses from excessive penalties that could result in financial ruin. Additionally, the Y2K legislation has been part of the broader issue of tort reform. The Y2K proposals received strong support from a coalition of Silicon Valley companies and other business groups, including the Chamber of Commerce. The American Trial Lawyers Association and consumer groups opposed the legislation.

## 105TH CONGRESS

Two pieces of legislation were passed and signed into law during the 105th Congress. H.R. 3116 (Pub. L. 105-164) addressed financial institutions. Sen. 2392 (Pub. L. 105-271) attempted to address the difficult and politically sticky problem of liability

for companies selling Y2K fix-it services.

H.R. 3316, the Examination Parity and Year 2000 Readiness for Financial Institutions Act, requires federal bank regulatory agencies to provide information and suggestions to financial institutions on fixing their problems and to monitor private companies that are contracting with banks.

Of the two bills, the most significant Y2K legislation was Sen. 2392, the Year 2000 Information and Readiness Disclosure Act. This act was designed to encourage companies to share information on repairing Y2K compatibility by limiting vendor exposure to product liability litigation. Vendors argued that fear of litigation inhibited their willingness to share information that would be useful in repairing problems or even to state that their products were Y2K compatible. They claimed that posting information on the Web or providing statements of Y2K compliance for their products could be used as the basis for lawsuits by disgruntled customers. They lobbied for legislation that would protect them from being sued based on their own statements.

The vendors' fear of litigation is not without reason. In February 1998, Symantec Corporation of Santa Monica was the target of a class action suit filed in state court by customers claiming its antivirus software would not be Y2K compatible. Most observers predicted this would only be the beginning of litigation claiming damages. Sen. 2392 has four substantive provisions. Three of the provisions are relatively straightforward:

The law grants companies engaged in Y2K repairs a temporary exemption from antitrust laws if they collaborate for the purpose of "communicating or disclosing information to help



A deputy marshal from the North County Division of the Superior Court of San Diego County poses with one of the 46 Native Americans who participated in a unique court outreach effort—believed to be the first ever conducted in the state for reservation residents. Trial court unification allowed staff to pull together each defendant's outstanding traffic and misdemeanor offenses from throughout the county for the special court session at the Indian Health Council office in Pauma Valley. See story at right. *Photo: Superior Court of San Diego County.*

correct or avoid the effects of year 2000 processing failure." The exemption expires July 14, 2001 (§ 5).

The act authorizes the President's Year 2000 Council to establish working groups (§ 8).

The law charges the General Services Administration with creating a national year 2000 Web site "designed to assist consumers, small business and local governments" in sharing information about services, products, and strategies with each other, and with public and private entities (§ 9).

The most critical part of the bill is section 4, Protection for Year 2000 Statements. Section 4(a) states that: "No year 2000 readiness disclosure, in whole or in part, shall be admissible against the maker of that disclosure to prove the accuracy or truth of any year 2000 statement set forth in that disclosure." The section then qualifies this blanket protection to all the users of year 2000 statements under certain circumstances, for example,

to lay the basis for a breach of contract or as evidence of bad faith. But to narrow its use, the standard for admission is "by clear and convincing evidence" of its relevance rather than the more permissive "preponderance of the evidence."

With its signing by the President on October 19, 1998, the computer industry was given as much assurance as they are likely to receive from Congress that their product performance statements regarding Y2K compatibility will not be used casually in a product liability suit. Whether the protections in the act are considered sufficient remains to be seen.

*The Government Relations staff will be rotating this writing assignment, so you will get a chance to meet each of them. If any of these columns prompt questions, feel free to call or e-mail the author. For this column, please direct comments to Thomas A. Henderson at [thenderson@ncsc.dni.us](mailto:thenderson@ncsc.dni.us) or 800-532-0204. ■*





Judge J. Richard Couzens

Judge Couzens is a member of the Judicial Council and past chair of its Criminal Law Advisory Committee.

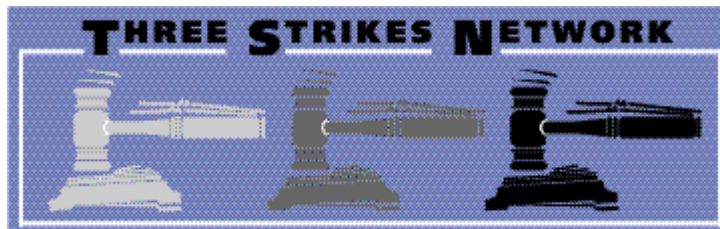
## Juvenile Residential Burglaries as Strikes?

BY JUDGE J. RICHARD COUZENS  
SUPERIOR COURT OF PLACER COUNTY

*People v. Graham* (1997) 53 Cal.App.4th 1288 and *People v. Griggs* (1997) 59 Cal.App.4th 557 held that juveniles adjudicated for residential burglary incur a "strike" under the California three-strikes law. *People v. Gentry* (1998) 62 Cal.App.4th 643 held that such adjudications were not strikes. The California Supreme Court had an opportunity to address the issue in *People v. Davis* (1997) 15 Cal.4th 1096 but chose to "leave the issue for another day"; that day came with *People v. Garcia* (1999) 21 Cal.4th 1.

The controversy over juvenile burglaries centers on two apparently conflicting provisions of the three-strikes law. For a prior juvenile adjudication to qualify as a strike, it must satisfy four conditions: (1) the underlying crime was committed when the juvenile was 16 years of age or older; (2) the prior offense is listed either as a "serious" or "violent" felony, or is listed in section 707(b) of the Welfare and

Institutions Code; (3) the minor was found "fit for treatment" as a juvenile; and (4) the juvenile was adjudicated for a crime listed in section 707(b). No published case has addressed the age requirement; *Davis* held the fitness requirement is satisfied either by an actual finding of fitness following a hearing under section 707(b) or inferred from



the lack of a request by the prosecution to certify the minor to adult jurisdiction. *Garcia* examines requirements (2) and (4). Simply put, the issue arises from the fact that residential burglary is a "serious" felony under Penal Code section 1192.7(c), but is not listed in Welfare and Institutions Code section 707(b).

### ISSUE REMAINS

*Garcia* clarified the application of requirement (2). Penal Code section 667(d)(3)(B) specifies that the juvenile adjudication will qualify as a strike "if the prior offense is listed in subdivision (b) of Section 707 of the Welfare and Institutions Code or described in paragraph (1) or (2) [of section 667(d)] as a felony." (Emphasis added.) Several opinions have interpreted subparagraph (B) with an "and" rather than an "or"; in other words, to qualify as a strike, the prior adjudication must be listed as a "serious" or "violent" felony and be listed in section 707(b). (See, e.g., *People v. Diller* (1999) 72 Cal.App.4th 1165.) *Garcia* interpreted the statute literally: the juvenile adjudication will meet the requirements of subparagraph (B) if the offense is either a "serious" felony, a "violent" felony, or is listed in section 707(b).

An issue left unresolved by *Garcia* concerns the relatively rare circumstance where the crime is listed in section 707(b) but is not listed as a "serious" or "violent" felony. Assault by means of force likely to produce great bodily injury (Pen. Code, § 245(a)(1)), for example, is listed in section 707(b), but is not a "serious" or "violent" felony unless the defendant personally inflicts great bodily injury or uses a deadly weapon. *People v. Leng* (1999) 71 Cal.App.4th 1 found that to treat a juvenile crime as a strike when it would not qualify as a strike if committed by an adult would be a denial of equal protection of the law. *Leng* is final; unless it subsequently is disapproved by the Supreme Court, it provides a narrow exception to the application of *Garcia*.

### SECTION 707(B) OFFENSE

Section 667(d)(3)(D) specifies that an adjudication qualifies as a strike if "the juvenile was adjudged a ward of the juvenile court . . . because the person committed an offense listed in subdivision (b) of Section 707 of the Welfare and Institutions Code." *Graham* and *Griggs* concluded that the failure of the drafters to include adjudications for "serious" and "violent" felonies in subparagraph (D) was a "drafting oversight." The Supreme Court, however, declined to so hold and found that subparagraph (B) was consistent

adjudicated for at least one offense listed in section 707(b). In *Garcia*, for example, the defendant was adjudicated for a single charge of residential burglary. While such a crime met the requirements of subparagraph (B), there was no adjudication in the same proceeding for an offense listed in section 707(b). Since the requirements of subparagraph (D) were not satisfied, the residential burglary did not qualify as a strike.

Whether a residential burglary will qualify as a strike, therefore, will turn on whether the defendant also was adjudicated in the same proceeding for an offense listed in section 707(b). In *Garcia*, for example, if the defendant had also been adjudicated for a violation of Penal Code section 288(a), lewd act on a child, the residential burglary would have qualified as a strike. In fact, both crimes would have qualified as strikes. When presented with an allegation that a juvenile residential burglary adjudication is a strike, therefore, courts must carefully review the record of conviction to determine if each of the four statutory elements has been satisfied. ■

with subparagraph (D). *Garcia* held that for a juvenile adjudication for any crime listed in subparagraph (B) to qualify as a strike, the juvenile must be adjudicated in the same proceeding for an offense listed in section 707(b). *The crime sought to be adjudicated as a strike, however, need not be listed in section 707(b)*, so long as the juvenile is



## Update on Task Force On Court Facilities

### San Mateo to serve as prototype for county plan

The Task Force on Court Facilities, with the assistance of its consultant, Daniel, Mann, Johnson & Mendenhall, is refining the court facility evaluation and planning process.

The task force is continuing its pilot program for the field evaluation of court facilities by survey teams, which are spending one or two days inspecting and evaluating the court facilities in Calaveras, Contra Costa, Los Angeles, Riverside, and San Mateo Counties. The evaluations will allow testing of the data collection process to see if it is producing the anticipated results.

As part of the pilot program, the tools developed by the task force, including trial court facilities guidelines and computer evaluation models, will be used to develop a prototype county facility plan. San Mateo County has been selected for the prototype because it is a relatively large court system with a number of significant planning issues and constraints. At its meeting on December 8 and 9 in Orange County, the task force will review in depth the prototype plan and the process that led to it. The task force plans to have the evaluation and planning phase of its study in full production in January 2000 with completion of this phase of the project targeted for August 2000.

### First Interim Report Completed

In addition, the task force submitted its first interim report to the Governor, Legislature, and Judicial Council on October 1. The task force will issue a second interim report on trial court guidelines on or before January 1, 2001, and a final report by July 1, 2001.

The interim report, *Preliminary Determination: Trial Court Facilities Guidelines*, can be viewed on the task force's Web site, [www2.courtinfo.ca.gov/facilities/news.htm](http://www2.courtinfo.ca.gov/facilities/news.htm). Although not mandated to do so by the statute that established the task force, the Lockyer-Isenberg Trial Court Funding Act of 1997, the task force disseminated the guidelines for public comment for 30 days beginning October 1. The draft was also sent to all county administrative offices, presiding judges, court executives, and other interested groups such as the State Bar.

● For the latest information about the task force's activities, visit the task force's Web site at [www2.courtinfo.ca.gov/facilities/](http://www2.courtinfo.ca.gov/facilities/). Send written comments and questions to the Task Force on Court Facilities, 455 Golden Gate Ave., San Francisco, CA 94102-3660.

## Goal of New Personnel System: To Meet Statewide, Local Needs

The Task Force on Trial Court Employees, in its second interim report issued in October, recommends a new personnel system that:

- Achieves a system with local flexibility yet statewide applicability;
- Maintains employees' current classifications and salaries upon implementation;
- Does not reduce the level of benefits of trial court employees as a result of the implementation of the trial court personnel system;
- Includes discipline for cause and progressive discipline as part of all trial court employees' employment protection systems, with certain exceptions;
- Does not alter the means by which memoranda of understanding or personnel policies, procedures, and plans related to trial court employees are modified; and
- Allows sufficient transition periods to implement the new system as smoothly as possible.

The task force, created by the Legislature as a result of the Lockyer-Isenberg Trial Court Funding Act of 1997, drafted the second interim report to incorporate components of the proposed personnel structure that the first interim report did not include and to accommodate comments received in response to that initial report.

The second interim report includes a definition of trial court

employee; definition of employment status options: state, county, court, or other; components of proposed new personnel structure, including classification, salary, meet and confer, employment protection system, accrued leave benefits, and group insurance and other employer-provided benefits; and discussion of federally regulated benefits, deferred compensation, a defined-benefit retirement plan, retiree group-insurance benefits, and transition issues.

### VOTE, POLL

Also included in the report is a recommendation for conducting the trial court employee advisory vote and public entity poll on the proposed new personnel structure. The task force recommends that a neutral entity, such as the State Mediation and Conciliation Service, administer the trial court employee vote and public entity poll and tabulate the results for each. The advisory vote would be limited to those employees who would be included in the new trial court employee personnel system and whose status would be affected.

The task force, which received comments to the second interim report until November 1, will submit a final report late in December 1999 to the Legislature, the Governor, and other interested parties. ■





## New Rules

The Judicial Council has adopted new and amended California Rules of Court and Standards of Judicial Administration, effective January 1, 2000.\* The text of these rules and standards can be found on the California Courts Web site at [www.courtinfo.ca.gov/rules/](http://www.courtinfo.ca.gov/rules/) and in the *California Official Reports* advance sheets, pamphlet no. 31 (November 16, 1999). In addition, the text of the rules is sent to all presiding judges and court administrators.

### NEW RULES

- Rule 996. Judicial Branch Statistical Information System (JBSIS)
- Rule 1208. Minimum standards for the office of the family law facilitator
- Rule 1279. Reference to UCCJEA instead of UCCJA
- Rule 1280.9. References in forms to conform to Family Code Division 17.
- Rule 1429.1. Orders after filing under section 300
- Rule 1429.3. Orders after filing of petition under section 601 or 602
- Rule 1429.5. Restraining orders
- Rule 1800. Definition
- Rule 1810. Complex case designation
- Rule 1811. Complex case counterdesignations
- Rule 1812. Action by court
- Rule 1830. Electronic service
- Rule 6.55. Probate and Mental Health Advisory Committee
- Rule 6.705. Notice of change in court-county relationship
- Rule 7.1. Preliminary provisions
- Rule 7.2. Definitions; construction of terms
- Rule 7.3. Waiver of rules in probate proceedings
- Rule 7.150. Acknowledgment of receipt of statement of *Duties and Liabilities of Personal Representative*
- Rule 7.201. Waiver of bond in will
- Rule 7.202. Two or more personal representatives
- Rule 7.203. Separate bonds for individuals
- Rule 7.204. Duty to petition to increase bond
- Rule 7.205. Independent power to sell real property
- Rule 7.206. Bond upon sale of real property
- Rule 7.250. Report of actions taken under the Independent Administration of Estates Act (IAEA)
- Rule 7.301. Spousal property petition filed with petition for probate
- Rule 7.401. Personal representative’s action on the claim
- Rule 7.402. Court’s action on the claim
- Rule 7.403. Listing all claims in the final report
- Rule 7.451. Refusal to show property to prospective buyers
- Rule 7.452. Petitioner or attorney required at hearing
- Rule 7.453. Petition for exclusive listing
- Rule 7.501. Inventory and appraisal to show sufficiency of bond
- Rule 7.650. Decree of distribution establishing testamentary trusts
- Rule 7.801. Objections and responses

### AMENDED RULES

- Rule 14. Additional briefs
- Rule 29.5. Questions of state law certified by federal appellate courts and other courts
- Rule 35. Preparation, certification, and filing of record
- Rule 212. Case management conference and meet-and-confer requirement
- Rule 317. Time for filing and service of motion papers
- Rule 363. Civil harassment and workplace violence
- Rule 828. Traffic court—trial by written declaration
- Rule 982.2. Case cover sheet required
- Rule 1258. Standards for computer software to assist in determining support
- Rule 1412. General provisions—proceedings
- Rule 1424. Program guidelines for court-appointed special advocate programs
- Rule 1455. General conduct of disposition hearing
- Rule 1460. Six-month review hearing
- Rule 1461. Twelve-month review hearing
- Rule 1501.1. Complex case—definition
- Rule 2102. Local court rules
- Rule 2105. Differentiation of cases to achieve goals

### AMENDED STANDARDS OF JUDICIAL ADMINISTRATION

- Sec. 19. Complex civil litigation

### DELETED RULES

- Rule 305. Application for order shortening time
- Rule 1277. Use of existing family law forms
- Rule 1458. Restraining orders
- Rule 6.90 Center for Judicial Education and Research

\* These amendments to the California Rules of Court are effective January 1, 2000, except for rule 6.90, which is repealed effective October 22, 1999.

## New Forms

The following new and revised forms, approved by the Judicial Council at its October business meeting, take effect January 1, 2000. They will be accessible on the California Courts Web site at [www.courtinfo.ca.gov/forms/](http://www.courtinfo.ca.gov/forms/) one week before their January 1 effective date. A list of the amended forms is also sent to all presiding judges and court administrators.

### GENERAL LEGAL

- 982(a)(15)\* [Rev.] Civil Subpoena for Personal Appearance at Trial or Hearing
- 982(a)(15.1)\* [Rev.] Civil Subpoena (Duces Tecum) for Personal Appearance and Production of Documents and Things at Trial or Hearing and Declaration
- 982(a)(15.2)\* [Rev.] Deposition Subpoena for Production of Business Records
- 982(a)(15.3)\* [New] Deposition Subpoena for Personal Appearance
- 982(a)(15.4)\* [New] Deposition Subpoena for Personal Appearance and Production of Documents and Things
- 982(a)(15.5)\* [Rev.] Notice to Consumer or Employee and Objection

### CASE COVER SHEET (Rule 982.2)

- 982.2(b)(1)\* [Rev.] Civil Case Cover Sheet

### WAGE GARNISHMENT

- 982.5(6)\* [Rev.] Notice of Filing of Claim of Exemption

### FAMILY LAW

- 1285.74 [New] Qualified Domestic Relations Order for Support
- 1285.76 [New] Attachment to Qualified Domestic Relations Order for Support
- 1285.92\* [Rev.] Child Support Case Registry Form

### ADOPTION

- ADOPT-050 [New] Adoption Information
- ADOPT-200\* [Rev.] Petition for Adoption
- ADOPT-210\* [Rev.] Petitioner Consent and Agreement to Adoption
- ADOPT-215\* [Rev.] Order of Adoption
- ADOPT-225\* [Rev.] Consent to Termination of Parental Rights and Certification—Adoption of an Indian Child
- ADOPT-230\* [Rev.] Accounting Report—Adoptions
- ADOPT-310\* [Rev.] Kinship Adoption Agreement
- ADOPT-315\* [Rev.] Petition for Enforcement, Modification, or Termination of Kinship Adoption Agreement
- ADOPT-320\* [Rev.] Response to Petition for Enforcement, Modification, or Termination of Kinship Adoption Agreement
- ADOPT-325\* [Rev.] Order on Petition for Enforcement, Modification, or Termination of Kinship Adoption Agreement

### ATTACHMENT

- AT-105 [Rev.] Application for Right to Attach Order, Temporary Protective Order, Etc.
- AT-115 [Rev.] Notice of Application and Hearing for Right to Attach Order and Writ of Attachment
- AT-120 [Rev.] Right to Attach Order After Hearing and Order for Issuance of Writ of Attachment
- AT-125 [Rev.] Ex Parte Right to Attach Order and Order for Issuance of Writ of Attachment (Resident)
- AT-130 [Rev.] Ex Parte Right to Attach Order and Order for Issuance of Writ of Attachment (Nonresident)
- AT-140 [Rev.] Temporary Protective Order
- AT-165 [Rev.] Notice of Attachment

### IGNITION INTERLOCK DEVICE

- ID-100 [Rev.] Order to Install Ignition Interlock Device
- ID-130 [Rev.] Ignition Interlock Noncompliance Report
- ID-140 [Rev.] Ignition Interlock Removal and Modification to Probation Order
- ID-150 [Rev.] Notice to Employers of Ignition Interlock Restriction

### JUVENILE

- JV-060 [New] Information for Parents
- JV-200\* [Rev.] Custody Order—Juvenile
- JV-205\* [New] Visitation Order—Juvenile
- JV-245\* [New] Application and Declaration for Restraining Order
- JV-250\* [Rev.] Restraining Order—Juvenile (CLETS)
- JV-305 [New] Citation for Publication Under Welfare and Institutions Code Section 366.26

### MISCELLANEOUS

- MC-012\* [Rev.] Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest

\* Adopted for mandatory use by all courts.

## How to Download Judicial Council Forms

The Judicial Council’s new and revised forms are available for downloading from the California Courts Web site at [www.courtinfo.ca.gov/forms/](http://www.courtinfo.ca.gov/forms/). However, they are provided as Adobe Acrobat documents (.PDF) and cannot be filled out within the Acrobat Reader. The documents may only be printed out and filled in manually.

To retrieve the forms, follow these steps:

1. Go to [www.courtinfo.ca.gov/forms/](http://www.courtinfo.ca.gov/forms/).
2. To download all the forms at once, you must have a file-compression utility that will decompress ZIP files. With this utility, click on “Download all of the forms in .ZIP format”; after this, decompress the file with the ZIP file utility. Individual forms then can be read with the Adobe Acrobat Reader. The Adobe Acrobat Reader is available free at [www.adobe.com/products/acrobat/readstep.html](http://www.adobe.com/products/acrobat/readstep.html).
3. To download a specific form, use the pull-down menu at the bottom. The menu lists all subjects alphabetically, beginning with “All Forms Listed by Number” and ending with “Workplace Harassment.” Click on the menu bar and select the subject you want.
4. Click on “See Forms” for a list of forms under the subject.
5. From the list of forms that appears, select the form you want by clicking on the underlined form number to retrieve the Adobe Acrobat PDF file.
6. To print the form, click on the print option in Adobe Acrobat.

## Education & Development

### RESOURCES

#### Activity book created for children going to court

The Administrative Office of the Courts Center for Children and the Courts has published an information and activity book for children who go to court—whether they are witnesses, visitors, or involved in a case.

*What's Happening in Court: An Activity Book for Children Going to Court in California* was created to introduce children to the court processes in which they may be involved, the people who work in the judicial system, and the vocabulary associated with judicial proceedings.

The book deals with such areas as dependency, delinquency, mental health, family law, guardianship, adoption, and emancipation. It is designed to foster conversations between children and adults about the court system. The activities in the book give children something to do while waiting at the courthouse. Depending on their age, they may read the text, color the pictures, or play the games.

Copies of the activity book are being distributed to each courthouse in California for use by children coming to each facility.

● Contact: Audrey Evje, Center for Children and the Courts, Council and Legal Services, 415-865-7706.

#### Journal of the Center for Children and the Courts debuts

The premier issue of the *Journal of the Center for Children and the Courts* focuses on representation of children in all types of court proceedings, from dependency court to criminal court. The journal will be published annually, with each issue devoted to a specific area within the judicial process affecting children and families.

The journal was conceived to provide information concerning children and families in the California court system in a scholarly and educational format. It focuses on issues of national importance while encouraging a dialogue for improving judicial policy in California. The journal also offers a forum for addressing important and timely issues relevant to children and families in the court system.

The *Journal of the Center for Children and the Courts'* editorial board is composed of a distinguished group of judges, acade-

mics, attorneys, and others from across the United States interested in improving court proceedings for children and families.

Anyone interested in juvenile and family law issues may subscribe to the free journal. It will be distributed to all California family law and juvenile judges, all presiding justices and judges, and county and law school libraries.

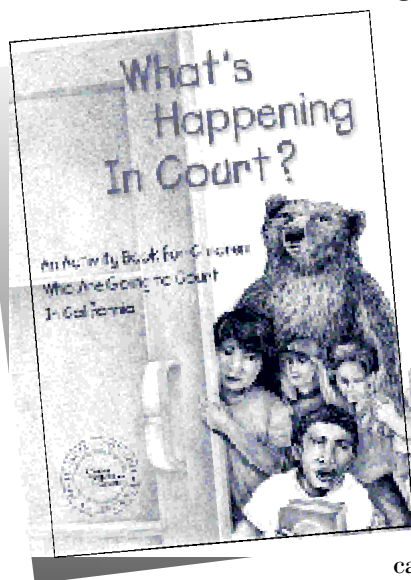
● Contact: To subscribe, send your name and address to Audrey Evje, Center for Children and the Courts, Council and Legal Services, 415-865-7706, [audrey.evje@jud.ca.gov](mailto:audrey.evje@jud.ca.gov).

## WORKSHOPS

#### First Juvenile and Family Drug Court Conference in January 2000

The first ever Juvenile and Family Drug Court Conference will be held January 5–8, 2000, in Phoenix, Arizona. The National Association of Drug Court Professionals (NADCP) in partnership with the Center for Substance

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### New Forms

*Continued from page 15*

#### PROBATE

##### Decedent's Estates

- DE-174\* [Rev.] Allowance or Rejection of Creditor's Claim  
DE-350\* [New] Petition and Order for Appointment of Guardian Ad Litem Under the Probate Code [same as GC-100]

##### Guardianships and Conservatorships

- GC-080\* [New] Change of Residence Notice  
GC-085\* [New] Petition to Fix Residence Outside the State of California  
GC-090\* [New] Order Fixing Residence Outside the State of California  
GC-100\* [New] Petition and Order for Appointment of Guardian Ad Litem Under the Probate Code [same as DE-350]

##### SMALL CLAIMS (Rule 982.7)

- SC-100\* [Rev.] Plaintiff's Claim and Order to Defendant  
SC-107\* [Rev.] Small Claims Subpoena for Personal Appearance and Production of Documents at Trial or Hearing and Declaration  
SC-130\* [Rev.] Notice of Entry of Judgment  
SC-150\* [Rev.] Information for the Small Claims Plaintiff

#### TRAFFIC INFRACTIONS

- TR-235\* [New] Officer's Declaration

#### WORKPLACE HARASSMENT [Revoked]

- WH-100 [Revoked] Petition for Injunction Prohibiting Harassment of Employee  
WH-110 [Revoked] Response to Petition for Injunction Prohibiting Harassment of Employee  
WH-120 [Revoked] Order to Show Cause and Temporary Restraining Order (CLETS)  
WH-130 [Revoked] Proof of Personal Service  
WH-131 [Revoked] Proof of Service by Mail  
WH-140 [Revoked] Order After Hearing on Petition for Injunction Prohibiting Harassment of Employee (CLETS)  
WH-150 [Revoked] Instructions for Lawsuits to Prohibit Workplace Harassment

#### WORKPLACE VIOLENCE

- WV-100 [New] Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee  
WV-110 [New] Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee  
WV-120 [New] Order to Show Cause and Temporary Restraining Order (CLETS)  
WV-130 [New] Proof of Personal Service  
WV-131 [New] Proof of Service of Completed Response—Service by Mail  
WV-132 [New] Proof of Service of Completed Response—Personal Service [reverse of WV-131]  
WV-140 [New] Order After Hearing on Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (CLETS)  
WV-150 [New] Instructions for Petitions to Prohibit Workplace Violence

\* Adopted for mandatory use by all courts. ■

## Larry Sipes Is AOC's Scholar-in-Residence

The Administrative Office of the Courts (AOC) inaugurated a new Scholar-in-Residence program this Fall with the introduction of its first scholar, Larry Sipes, president emeritus of the National Center for State Courts (NCSC) and one of the nation's leading experts in the administration of justice.

The Scholar-in-Residence will provide additional expertise to the work of the California courts by strengthening leadership, improving procedures and programs, and broadening the vision of the judicial organization. The scholar will have direct responsibility for several projects and will also serve as an advisory resource to the Chief Justice, the Judicial Council, the Administrative Director, AOC management, various committees, and the courts. The term of the position is one year and began on October 1.

Specific projects in which Mr. Sipes is likely to participate include:

▲ Developing the new trial court improvement grant program, including establishing procedures and criteria for soliciting, awarding, evaluating, and documenting grants;

▲ Developing a "best practices" program for California's trial and appellate courts, including developing program methodology, reporting format, and procedures for sharing "best practices" information with court officials throughout the state;



Larry Sipes

▲ Enhancing review of state and federal laws affecting judicial administration; and

▲ Creating forums to broaden the exposure of AOC staff to emerging policies, programs, and ideas germane to the administration of justice through contact with state and national leaders and experts.

#### HISTORY OF SERVICE

Mr. Sipes has a long and distinguished history of service to the judicial branch, most notably as president of the NCSC from 1990 to 1995. Previously, he served as the first special master overseeing the Buck Trust on behalf of the Superior Court of Marin County (1986 to 1990); established and directed the NCSC's Western Regional Office (1973 to 1986); taught judicial administration at Hastings College of the Law (1973 to 1975); served as director of the Chief Justice's Select Committee on Trial Court Delay (1971 to 1972); and was director of the California Constitution Revision Commission (1966 to 1970).

Mr. Sipes began his law career as a litigation attorney at O'Melveny & Meyers in 1962 before joining the U.S. Attorney General's Office in Los Angeles in 1966 and is a graduate of the New York University School of Law.

Chief Justice Ronald M. George calls Larry Sipes "one of the most respected national and international experts on the principles and practices of judicial administration." He adds, "His considerable knowledge and expertise will be invaluable resources at this extraordinary juncture in the administration of the California courts."